

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION

) MDL No. 1456

) Civil Action No. 01-CV-12257 PBS

THIS DOCUMENT RELATES TO
01-CV-12257-PBS AND 01-CV-339

) Judge Patti B. Saris

) Chief Magistrate Judge Marianne B. Bowler

**DEFENDANTS BRISTOL-MYERS SQUIBB CO. AND ONCOLOGY
THERAPEUTICS NETWORK CORP.'S PRETRIAL DISCLOSURES**

Defendants Bristol-Myers Squibb Company ("BMS") and Oncology Therapeutics Network Corporation ("OTN") hereby make the following pretrial disclosures of their witness list and exhibits, pursuant to Fed. R. Civ. P. 26(a)(3)(A).

A. WITNESSES TO BE CALLED LIVE AT TRIAL (Not in Order of Appearance)

BMS and OTN reserve the right to call any witnesses identified by Plaintiffs who are beyond the subpoena power of the Court but whom Plaintiffs intend to bring to trial.

Additionally, as Blue Cross Blue Shield of Massachusetts and other third-party payors are continuing to produce witnesses for deposition, BMS and OTN reserve their right to supplement this witness list with additional witnesses to appear both live and by designation.

Name and Address	Will Testify	May Testify
John F. Akscin Oncology Therapeutics Network Corp. c/o Hogan & Hartson L.L.P. 875 Third Avenue New York, NY 10022 Tel: (212) 918-3000	X	

Name and Address	Will Testify	May Testify
Gregory K. Bell, Ph.D. CRA International John Hancock Tower, 200 Clarendon Street, T-33 Boston, MA 02116-5092 Tel: (617) 425-3000	X	
Michael Carozza Bristol-Myers Squibb Company c/o Hogan & Hartson L.L.P. 875 Third Avenue New York, NY 10022 Tel: (212) 918-3000		X
Brian Garofalo Amgen Inc. Columbia Square 555 13 th Street, NW, #600W Washington, DC 20004 Tel: (202) 637-5700		X
Richard Hammerstone Bristol-Myers Squibb Company c/o Hogan & Hartson L.L.P. 875 Third Avenue New York, NY 10022 Tel: (212) 918-3000	X	
Denise M. Kaszuba Bristol-Myers Squibb Company c/o Hogan & Hartson L.L.P. 875 Third Avenue New York, NY 10022 Tel: (212) 918-3000	X	
Christof A. Marre 49 Waban Hill Road North Chestnut Hill, MA 02467 Tel: (617) 332-0280	X	
Frank Pasqualone Bristol-Myers Squibb Company c/o Hogan & Hartson L.L.P. 875 Third Avenue New York, NY 10022 Tel: (212) 918-3000	X	

Name and Address	Will Testify	May Testify
Marsha Peterson 570 Maria Lane Roseburg, Oregon 97470 Tel: (541) 679-1810	X	
David Rogers 825 Edgewood Road Yardley, PA 19067 Tel: (215) 321-4217	X	
Douglas Soule Bristol-Myers Squibb Company c/o Hogan & Hartson L.L.P. 875 Third Avenue New York, NY 10022 Tel: (212) 918-3000	X	
Zoltan Szabo Bristol-Myers Squibb Company c/o Hogan & Hartson L.L.P. 875 Third Avenue New York, NY 10022 Tel: (212) 918-3000	X	

B. WITNESSES TO BE OFFERED BY DEPOSITION¹

1. John F. Akscin
2. Raul Armand
3. Gena P. Cook
4. Dana Faulkner
5. Diane Ihling
6. Denise Kaszuba
7. Greg Keighley
8. Thomas Liptak
9. Christof A. Marre
10. Fran M. Morrison
11. Joseph Petrella

¹ The designated pages are referenced in a separate pleading.

12. Marsha Peterson
13. Douglas Soule
14. Zoltan Szabo

C. EXHIBITS

BMS and OTN reserve the right to introduce any exhibits or portions thereof identified by Plaintiffs. BMS and OTN further reserve the right to supplement their exhibit list in order to rebut any additional evidence or arguments offered by Plaintiffs at trial. In addition, as Blue Cross Blue Shield of Massachusetts continues to produce documents and witnesses, and a deposition of United remains outstanding, BMS and OTN reserve their right to supplement this exhibit list.²

Ex. No.	Prod. No./Source	Date	Description	Objections
2400	Bell BMS Report	04/14/2005	Bristol-Myers Squibb website history description	
2401	Bell BMS Report	2004	Frank Stephenson, "A Tale of Taxol," Florida State University Office of Research	
2402	Bell BMS Report	01/25/2002	"Appellate Ruling May Force Ivax to Pull Generic Taxol," Washington Business Information, Inc., Vol. 19, No. 2	
2403	Bell BMS Report	08/04/1989	"Bristol-Myers/Squibb deal—'a marriage made in heaven,' " Pharmaceutical Business News	
2404	Bell BMS Report	09/09/1996	"B-MS's Etopophos Receives US FDA Approval," Pharma Marketletter	
2405	Bell BMS Report	12/29/1992	"Bristol-Myers Squibb Announces Taxol Patient Access and Reimbursement Assistance Programs," PR Newswire	
2406	Bell BMS Report	02/10/2006	Bristol-Myers Squibb Co. (NYS: BMY), Mergentonline	

² Trial exhibits 2523, 2524 and 2626 are admissible as summaries pursuant to Fed. R. Evid. 1006. The data and information underlying these exhibits have been produced to Plaintiff's counsel.

Ex. No.	Prod. No./Source	Date	Description	Objections
2407	Bell BMS Report	10/16/1990	"Bristol-Myers Squibb Announces Legal Decisions," PR Newswire	
2408	Bell BMS Report	03/09/1989	"Bristol-Myers Announces FDA Approval of New Anti-Cancer Drug," PR Newswire	
2409	Bell BMS Report	05/25/1990	"Bristol-Myers Squibb Gratified by Judge's Ruling," PR Newswire	
2410	Bell BMS Report	04/10/2000	"Bristol-Myers loses key provisions of Taxol patent in Ivax litigation," Drug Store News, No. 5, Vol. 22, Pg. 18	
2411	Bell BMS Report	02/24/1993	"Bristol-Myers Squibb Responds to Congressional Hearings," PR Newswire	
2412	Bell BMS Report	01/18/1993	"B-M Squibb Sets US Taxol Price," Pharma Marketletter	
2413	Bell BMS Report	08/06/1996	"Bristol-Myers to Buy Partner's Stake in Joint Venture," New York Times	
2414	Bell BMS Report	12/14/2004	"Bristol-Myers Squibb to Sell Oncology Therapeutics Network," OTN website	
2415	Bell BMS Report		BMS Company Worldwide Net Sales From Continuing Operations by Product Quarterly Sales Trend Analysis	
2416	Bell BMS Report	04/1999	Blenoxane package insert	
2417	Bell BMS Report	07/29/1991	"Bristol-Myers Squibb Issues Statement on Taxol," PR Newswire	
2418	Bell BMS Report	04/1999	FDA Oncology Tools Product Label Details for bleomycin	
2419	Bell BMS Report		FDA Oncology Tools Approval Summary for bleomycin (for malignant pleural effusion)	
2420	Bell BMS Report		Blenoxane product information	
2421	Bell BMS Report		Cytosan Tablet Rx package insert	

Ex. No.	Prod. No./Source	Date	Description	Objections
2422	Bell BMS Report	07/02/2003	"U.S. Major Pharmaceuticals: Monthly Pricing Monitor, " CSFB Equity Research	
2423	Bell BMS Report		FDA Oncology Tools Product Label Details for cyclophosphamide	
2424	Bell BMS Report	12/03/1996	"Agreement with NCI for Extended Collaborative Research of Taxol," Doctor's Guide	
2425	Bell BMS Report	01/2000	Drug Facts and Comparisons	
2426	Bell BMS Report		Adriamycin RDF, Label and Approval History, FDA website	
2427	Bell BMS Report		Etoposide, Label and Approval History, FDA website	
2428	Bell BMS Report		Cytosan, Label and Approval History, FDA website	
2429	Bell BMS Report		Neosar, Label and Approval History, FDA website	
2430	Bell BMS Report		Blenoxane, Label and Approval History, FDA website	
2431	Bell BMS Report		Bleomycin Sulfate, Label and Approval History, FDA website	
2432	Bell BMS Report		Neil Edwards, "Taxol," School of Chemistry University of Bristol	
2433	Bell BMS Report		Cytosan, Label and Approval History, FDA website	
2434	Bell BMS Report		Platinol, Label and Approval History, FDA website	
2435	Bell BMS Report	02/19/2001	"Where Companies Rank in Their Industries; How executives, directors, and securities analysts rate 535 companies in 61 industries," CNNMoney.com	
2436	Bell BMS Report		Rubex, Label and Approval History, FDA website	
2437	Bell BMS Report		Vepesid, Therapeutic Equivalents, FDA website	
2438	Bell BMS Report		Etopophos, RX package insert	
2439	Bell BMS Report	11/26/1997	"FDA to Review Immunex Application for Paclitaxel," PR Newswire	

Ex. No.	Prod. No./Source	Date	Description	Objections
2440	Bell BMS Report		BMS First Databank AWP	
2441	Bell BMS Report	03/15/2000	"Faulding Receives FDA Approval for Bleomycin Sulfate for Injection," Business Wire	
2442	Bell BMS Report	06/20/1991	Philip Hiltz, "U.S. Agrees to Supply Trees for Cancer Drug," New York Times	
2443	Bell BMS Report	01/27/1998	"Immunex files for generic Taxol," Chemical Business Newsbase	
2444	Bell BMS Report	12/22/1993	"Immunex Regains Rights to Pixykin; Cynamid to Develop Product for Overseas Markets," PR Newswire	
2445	Bell BMS Report	01/30/1992	"Immunex, Bristol-Myers sign marketing pact," United Press Int'l	
2446	Bell BMS Report	01/16/2001	"IVAX Comments On Fourth Quarter ONXOL Sales and Recent Stock Repurchases," Business Wire	
2447	Bell BMS Report	08/14/2001	"IVAX Corp. still sees growth prospects for brand equivalent paclitaxel product" AFX.com	
2448	Bell BMS Report	09/1999	"IVAX Gets Final Approval for European Marketing of Paxene," Worldwide Biotech	
2449	Bell BMS Report	02/04/2002	"IVAX paclitaxel gets ok to stay on US market," Pharma Marketletter	
2450	Bell BMS Report	01/21/2002	Carey Krause, "Ivax wins round in Pacitaxel patent battle," Chemical Market Reporter, No. 3, Vol. 261	
2451	Bell BMS Report	02/6-7/2004	James Love, "Appendix 1: Some notes on the government role in R&D for new medicines, Neglected Diseases Group Meeting"	
2452	Bell BMS Report	09/15/2003	Susan Morrissey, "Maximizing Returns," CENEAR, Vol. 81, No. 37	

Ex. No.	Prod. No./Source	Date	Description	Objections
2453	Bell BMS Report	2004	Sally Gray, "New Business Strategy," MedAdNews, PharmaLive	
2454	Bell BMS Report		Etoposide IV monograph, Medscape	
2455	Bell BMS Report		Doxorubicin IV monograph, Medscape	
2456	Bell BMS Report		Blenoxane Inj, Monograph-Bleomycin Sulfate Medscape	
2457	Bell BMS Report		Carboplatin IV monograph, Medscape	
2458	Bell BMS Report		Cytosan IV, monograph-Cyclophosphamide Medscape	
2459	Bell BMS Report		Taxol IV, Monograph-Paclitaxol, Medscape	
2460	Bell BMS Report	12/30/2002	Mike Miller, "Taxanes and Platinum Drugs in Cancer Treatment," National Cancer Institute	
2461	Bell BMS Report	08/15/2001	Dunnett & Lehmann, Oncology Therapeutics Network Honored by CIO-100 Awards, OTN online News Archive	
2462	Bell BMS Report	2005	OTN Brand Drugs, from OTN website	
2463	Bell BMS Report	2005	OTN Company Profile, from OTN website	
2464	Bell BMS Report	05/13/2005	OTN Becomes Independent as One Equity Partners Completes Purchase from BMS, OTN online News Archive	
2465	Bell BMS Report	2005	Products and Services, the Lynx System, from OTN website	
2466	Bell BMS Report	06/10/1996	"Ovarian Cancer (Therapy): Topotecan Anti-Cancer Drug Approved by FDA," Cancer Weekly	
2467	Bell BMS Report		Cytosan, PDRhealth	
2468	Bell BMS Report		BMSO Paraplatin, production description	
2469	Bell BMS Report		Paclitaxel, from Wikipedia	

Ex. No.	Prod. No./Source	Date	Description	Objections
2470	Bell BMS Report		Paclitaxel for Injection, Biolyse Pharma Corp.	
2471	Bell BMS Report	01/2004	Paraplatin package insert	
2472	Bell BMS Report	06/2001	FDA Oncology Tools Product Label Details in Conventional Order for carboplatin	
2473	Bell BMS Report		Center for Drug Evaluation and Research, Approved Labeling, Paraplatin	
2474	Bell BMS Report	2006	PriceProbe, First Data Bank	
2475	Bell BMS Report	2005	Products and Services, from OTN website	
2476	Bell BMS Report		Company Overview, AccessMed	
2477	Bell BMS Report	1993-2005	Red book listings, B	
2478	Bell BMS Report	1993-2005	Red book listings, C	
2479	Bell BMS Report	1997-2005	Red book listings, E	
2480	Bell BMS Report	03/29/2006	Products and Services, AccessMed	
2481	Bell BMS Report	1993-1997	Red Book listings, P	
2482	Bell BMS Report	1993-2002	Red Book listings, R	
2483	Bell BMS Report	1993-2005	Red Book listings, T	
2484	Bell BMS Report	1993-2004	Red Book listings, V	
2485	Bell BMS Report	2006	Cancer Care Resources, Drug Reimbursement Hotlines 2006, Assoc. of Comm. Cancer Centers	
2486	Bell BMS Report	1999	Rozek & Berkowitz, "The Costs to the U.S. Health Care System of Extending Marketing Exclusivity for Taxol"	
2487	Bell BMS Report		Pharmaceutical Therapeutic Categories Outlook, SG Cowen	

Ex. No.	Prod. No./Source	Date	Description	Objections
2488	Bell BMS Report	04/13/2000	"Roxane Laboratories, Inc. Introduces First Generic Cyclophosphamide Tablets," PR Newswire	
2489	Bell BMS Report	03/2001	Rubex package insert	
2490	Bell BMS Report	03/29/2006	The Story of Taxol	
2491	Bell BMS Report		About Taxote, taxtote.com	
2492	Bell BMS Report	05/06/2003	"Sicor acquires several oncology products," PR Newswire Europe	
2493	Bell BMS Report		Mead Johnson Oncology, Taxol product description	
2494	Bell BMS Report		1998 year search in the National Medal of Technology laureates, The Spirit of American Innovation	
2495	Bell BMS Report		FDA Oncology Tools Approval Summary for Paclitaxel (for treatment of breast cancer)	
2496	Bell BMS Report		FDA Oncology Tools Approval Summary for Paclitaxel (for AIDS related Kaposi's sarcoma)	
2497	Bell BMS Report		FDA Oncology Tools Approval Summary for Paclitaxel (for metastatic carcinoma of the ovary)	
2498	Bell BMS Report		FDA Oncology Tools Approval Summary for Paclitaxel (ovarian second line therapy)	
2499	Bell BMS Report		Mead Johnson Oncology Products Taxol Injection product information	
2500	Bell BMS Report	02/10/2000	Mead Johnson Oncology Products Taxol Injection product information	
2501	Bell BMS Report	03/00/2003	Taxol Injection package insert	
2502	Bell BMS Report		Mead Johnson Oncology Products Taxol Injection product information	

Ex. No.	Prod. No./Source	Date	Description	Objections
2503	Bell BMS Report	06/03/2002	"Taxol v. Taxotere finds tox Advantage; Comparison of Drugs from Bristol-Myers Squibb Co. and Aventis S.A.", Marketletter	
2504	Bell BMS Report	11/07/2001	"Taxol: Court Reverses FDA Approval of Generic Version", American Health Line	
2505	Bell BMS Report		Dan McDonley, "Taxus sp. and the Ethnobotanical and Chemical Origins of Taxol"	
2506	Bell BMS Report	06/06/2003	GAO Report No. GAO-03-829, "Technology Transfer: NIH-Private Sector Partnership in the Development of Taxol"	
2507	Bell BMS Report	08/23/2001	Susannah Markandya & James Love, "Timeline of Paclitaxel Disputes"	
2508	Bell BMS Report	10/05/2001	"Transportation Delays Make Ivax Stock Woozy", South Florida Business Journal	
2509	Bell BMS Report	11/08/2000	Disease Dynamics: The Cancer Market, UBS Warburg Industry Outlook	
2510	Bell BMS Report	11/00/2004	VePesid Package Insert	
2511	Bell BMS Report	09/00/1998	VePesid Package Insert	
2512	Bell BMS Report		FDA Oncology Tools Approval Summary for Etoposide, VP-16 (for small cell lung cancer)	
2513	Bell BMS Report		FDA Oncology Tools Approval Summary for Etoposide, VP-16 (for testicular tumors)	
2514	Bell BMS Report	02/16/2006	A-Z Health Guides from WedMD: Drugs – Bleomycin Injection	
2515	Bell BMS Report	06/17/2005	"Healthcare Costs; Growth in Spending on Cancer Therapies Nearly Doubles After New Oral Oncologics," Drug Week	
2516	Bell BMS Report	08/16/1999	Presentation entitled "Paraplatin Deconversion Discussion Outline"	

Ex. No.	Prod. No./Source	Date	Description	Objections
2517	Bell BMS Report	05/18/2000	Presentation entitled "Taxol and Generic Competition Draft Discussion Document"	
2518	Bell BMS Report	04/13/2000	Presentation entitled "Taxol and Generic Competition Preliminary Research Findings on Price Competition"	
2519	Bell BMS Report	01/19/2000	Presentation entitled "Taxol Preservation Discussion Outline Project Kickoff"	
2520	Bell BMS Report	09/29/1999	Presentation entitled "Paraplatin Deconversion Discussion Outline"	
2521	Bell BMS Report	10/13/1999	Presentation entitled "Paraplatin Deconversion Findings and Recommendations"	
2522	Bell BMS Report		Supplemental Exhibit C: BMS and OTN Sales Data: Revenues, Prices, and Price Dispersion	
2523	Bell BMS Report		Exhibit D: Summary of BMS/OTN Revenue by Product (\$): Excluding Sales to Federal Entities	
2524	Bell BMS Report		Exhibit E: BMS/OTN Price Dispersion: Excluding Sales to Federal Entities	
2525	FDB-AWP 00532-37	09/12/1997	Memo to Cathy Gutgesell from Barbara Goetz re: Price Adjustment Notification	
2526	BMS/AWP/00 0127505-52	05/18/2000	Taxol And Generic Competition Draft Discussion Document	
2527	BMS/AWP/00 0166375-76		US Oncology (USON) Pharmaceutical Purchasing Agreement Highlights	
2528	BMS/AWP/00 619729-30		BMS Minnesota Multistate Contract Offer Outline	
2529	BMS/AWP/00 0252532-41	10/19/2000	E-mail from Sandy McMahon, with attachments re: Communication Program Bullet Points and Customer Call Flow	
2530	BMS/AWP/00 288985		BMS Innovatix Contract Offer Outline	

Ex. No.	Prod. No./Source	Date	Description	Objections
2531	BMS/AWP/00 289399-00		BMS Cardinal Health Provider Pharmacy Services (CHPPS) Contract Offer Outline	
2532	BMS/AWP/00 311919-27	05/20/2002	E-mail from Martin Bick to Jayson Housson re: IDO deals, attaching draft Taxol/Ifex/Tequin contracts	
2533	BMS/AWP/00 317864-70		Taxol Program Review and Forecast for 2002	
2534	BMS/AWP/00 320140-81		Customer Marketing Business Plan 2003	
2535	BMS/AWP/00 353981-84	04/23/2002	E-mail from Martin Bick, attaching updated BMS Oncology offer	
2536	BMS/AWP/00 429062	12/20/1999	Document entitled, BMS Position on Pricing of Medicines	
2537	BMS/AWP/00 482440-41		Document entitled, Taxol Q4 2002 & Q1 2003 State Society GPO Incentive Program	
2538	BMS/AWP/00 482447-86	03/10/2003	Taxol Opportunity Program presentation	
2539	BMS/AWP/00 500615-16		BMS Minnesota Multistate Contract Offer Outline	
2540	BMS/AWP/00 766434-99		BMS Pharmaceutical Group Purchase Agreement between BMS and Duke Health System	
2541	BMS/AWP/00 991871-73	06/11/2003	E-mail from Timothy Wert to Dennis Buckley attaching OTN Paraplatin Fliers	
2542	BMS/AWP/01 248310-11		BMS PACT Contract Offer Outline	
2543	BMS/AWP/01 314172-94	09/9/1997	AVAPRO Pricing Recommendation presentation	
2544	BMSAWP/00 07368-71		Agreement between Valley Hospital and BMS	
2545	BMS/AWP/00 0100778		Document entitled "Average Wholesale Price (AWP)"	
2546	BMSAWP/00 11214-35	09/06/1995	Etopophos Launch Plan	
2547	BMSAWP/00 11799-804		OTN 1996 Premier Members Program documents	
2548	BMSAWP/00 44178-99		BMS Bid Pricing Manual	

Ex. No.	Prod. No./Source	Date	Description	Objections
2549	BMS/AWP/00 429979-82		Agreement between Columbia/HCA Healthcare Corp., Owen Healthcare, Inc. and BMS	
2550	FDB-AWP- 18637-39	04/01/2002	E-mail from Norma Ledezma on behalf of Kay Morgan to Marilynne Isaacs, forwarding 4/1/02 Price Increase Notification	
2551	Bell BMS Report	04/28/2006	Supplemental Declaration of Gregory K. Bell, Ph.D	
2552	BMS/AWP/00 11247-48	08/1992	Correspondence from D. Kaszuba to Publications	
2553	BMS/AWP/00 11246	08/18/1992	Internal Medispan memorandum re: Bristol Oncology Survey	
2554	10/25/04 Szabo Affidavit Ex. 1	7/10/1996	Email from D. Kaszuba to T. Wert and G. Kegler regarding AWP's published by First Databank, Redbook and Medispan	
2555	CMS Public Records	7/26/1996	Letter from John F. Akscin to Gail Wilensky, Administrator, Health Care Financing Administration	
2556	BMS/AWP/00 0095588-610	01/01/1997	OTN Newsletter – “The Network News”	
2557		09/01/1998	Specialty Wholesaler Marketing Services Agreement	
2558		01/24/1999	Sales Agency and Consignment Agreement	
2559	BMS/AWP/01 411455	04/01/1999	Soule call note regarding D. Dong	
2560	BMS/AWP/01 411454	04/01/1999	Soule call note regarding D. Dong	
2561	BMS/AWP/01 411461	04/21/1999	Soule call note regarding B. Bolonesi	
2562	BMS/AWP/01 411464	05/03/1999	Soule call note regarding R. Marquardt	
2563	BMS/AWP/01 411468	06/10/1999	Soule call note regarding N. Lee	
2564	BMS/AWP/01 411473	06/14/1999	Soule call note regarding F. Senecal	
2565	BMS/AWP/01 426860	07/16/1999	Soule call note regarding M. Francisco	

Ex. No.	Prod. No./Source	Date	Description	Objections
2566	BMS/AWP/00 1504076-84	09/08/1999	BMS Memorandum from Miami Team to Suzanne Greenwood regarding Drug Replacement Update and Memorandum from V. Khanna and B. Garofalo to Florida Drug Replacement Team	
2567	BMS/AWP/01 426864	12/02/1999	Soule call note regarding M. Francisco	
2568	BMS/AWP/00 1509899-917	02/06/2000	Presentation entitled, "The Business of Office Based Oncology"	
2569	BMS/AWP/00 1506747-48	06/08/2000	Correspondence from J. Akscin related to Oaklane Cancer & Hematology P.C.	
2570	BMS/AWP/00 1506760	06/12/2000	E-mail from Amy Chan to J. Akscin	
2571	BMS/AWP/00 1506759; BMS/AWP/00 1506761-62	06/14/2000	Correspondence from J. Akscin related to J. Kiraly, III M.D.	
2572	BMS/AWP/00 1506766-68	06/15/2000	Correspondence from J. Akscin related to Oaklane Cancer & Hematology P.C.	
2573	BMS/AWP/00 1506751	6/15/2000	Notes related to Integrated Health Care Providers, Inc.	
2574	BMS/AWP/01 418518	06/26/2000	Soule call note regarding R. McCroskey	
2575	BMS/AWP/00 0096632-43	07/11/2000	Presentation entitled, "Reimbursement in Office Based Oncology"	
2576	BMS/AWP/01 418616	08/02/2000	Soule call note regarding W. B. Ethridge	
2577	BMS/AWP/01 418620	08/29/2000	Soule call note regarding N. Lee	
2578	BMS/AWP/01 418636	09/14/2000	Soule call note regarding R. Goldberg	
2579	BMS/AWP/01 418640	09/28/2000	Soule call note regarding M. Kang	
2580	BMS/AWP/01 419514	10/13/2000	Soule call note regarding G. Newman	
2581		2001	OTN Sourcebook 2001	

Ex. No.	Prod. No./Source	Date	Description	Objections
2582	BMS/AWP/00 1491764-69	07/15/2001	E-mail from Douglas Soule regarding weekly report and center of excellence update, attaching Significant Event Report for the week ending 7/13/01	
2583	BMS/AWP/01 423279	07/30/2001	Soule call note regarding J. Pelton	
2584	BMS/AWP/00 1492357	08/15/2001	Standby Statement re: Pricing Terms Initiative	
2585	BMS/AWP/00 1510378-412	01/2002	Presentation entitled, "The Business of Office Based Oncology"	
2586	BMS/AWP/01 049934-41	01/17/2002	E-mail from D. Kaszuba to Julie Martino re: Price Chek	
2587	BMS/AWP/00 442087-97	04/2002	Presentation entitled, Understanding AWP's	
2588	BMS/AWP/01 109780-84	04/22/2002	E-mail from Greg Fersko to L. Leas, D. Ihling, J. Martino attaching AWP Presentation	
2589	BMS/AWP/01 088203-11	04/30/2002	E-mail from Leighanne Leas to Ronald Miller & Thomas McKenna regarding Pricing Source Overview with attached slides	
2590	BMS/AWP/00 1506795-868	10/18/2002	Presentation entitled, "Regulatory & Reimbursement Update"	
2591	BMS/AWP/00 0056952-69	11/01/2002	Presentation entitled, "Pricing & Institutional Operations Overview"	
2592	BMS/AWP/00 1491561-63	11/10/2002	E-mail from Douglas Soule, attaching memorandum regarding weekly significant event report for week ending 11/8/02	
2593		12/02/2002	Oncology Therapeutics Network Customer Invoice (Orange Coast Oncology Hematology Associates)	
2594	BMS/AWP/00 0966252-56	01/14/2003	E-mail from Sandy McMahon re: Program Implementation Committee, attaching notes	
2595	BMS/AWP/00 059757-61	02/03/2003	E-mail from D. Kaszuba to Irene Paulin regarding Pricing Operations' Responsibilities	

Ex. No.	Prod. No./Source	Date	Description	Objections
2596	BMS/AWP/00 0093521-619	03/2003	Negotiation & Contracting Training Manual	
2597	BMS/AWP/01 190614-91	03/10/2003	E-mail from Christof Marre regarding DBM Negotiation Training, attaching presentation	
2598	BMS/AWP/00 0233146-47	04/10/2003	E-mail from M. Pollock to C. Marre regarding Potential impact of Taxol for Oncology Supply	
2599	BMS/AWP/01 489041-42	04/15/2003	Customer Call Notes	
2600		10/06/2003	Addendum to Oncology Distributor Agreement	
2601		01/19/2004	BMS's Response to Interrogatory No. 5	
2602		02/18/2004	Affidavit of D. Kaszuba	
2603	BMS/AWP/01 402137	04/03/2004	Soule call note regarding E. Madarang	
2604		06/17/2004	Plaintiffs' Objections and Responses to BMS'S Contention Interrogatories to Plaintiffs	
2605	BMS/AWP/00 1487916-17	04/12/2005	Document entitled, "Roles and Responsibilities"	
2606	BMS/AWP/00 1483047-61	04/13/2005	RBDM Education/Training Checklist	
2607	BMS/AWP/00 0956887, BMS/AWP/00 0083788-839	08/11/2005	E-mail from Akscin to Sales regarding John A's PPT from National Sales Mtg, attaching presentation entitled, "Law & Order: OBO "5.5 Ways to Add Value to Your Customer Interaction"	
2608		03/22/2006	Merits Report and Declaration of Fiona Scott Morton, PH.D.	
2609	BMS/AWP/00 1511818-45		Presentation entitled, "This is OTN"	
2610	BMS/AWP/00 337310-15		Document entitled, "Policy and Procedures"	
2611	BMS/AWP/00 0186646-49		Document re: Price Increase/ Decrease Notification Process	
2612	BMS/AWP/00 0071256-72		Presentation entitled, "Taxol Generic Strategy Learnings from the US"	
2613	BMS/AWP/00 478735-74		The Livin' Beat, Customer Marketing presentation	

Ex. No.	Prod. No./Source	Date	Description	Objections
2614	BMS/AWP/00 1511287-98		OTN presentation entitled, "Price Segments"	
2615	BMS/AWP/00 1491401-13		Seattle South 2003 Business Plan	
2616	BMS/AWP/01 327211		AWP (Ain't What's Paid)	
2617	BMS/AWP/00 361594-600		Document re: Taxol Program Review and Forecast for 2002	
2618	BMS/AWP/01 489213-16	Various	Customer Call Notes	
2619	BMS/AWP/01 488499-506	Various	Customer Call Notes	
2620	BMS/AWP/01 489314-18	Various	Customer Call Notes	
2621	BMS/AWP/01 490145-52	Various	Customer Call Notes	
2622	BMS/AWP/01 490157-62	Various	Customer Call Notes	
2623			"Screen Shots" from Price Master File	
2624			"Screen Shots" from Primary Vendor Database	
2625			Data Fields associated with SHARP Database	
2626			BMS List Prices for MDL Subject Drugs (By NDC)	
2627	FDB-AWP- 18629-30	06/03/2002	E-mail from Mimi Leake to Kay Morgan and Carol Flanagan re: Price Increase Notification	
2628	Bell BMS Report		Paraplatin vs. Cisplatin and Platinol Market Share Data Through OTN	
2629	BMS/AWP/00 0217912-17	02/25/2003	E-mail from Michelle Hand, attaching price check for Kirklin Clinic and Florida Infusion flyer	
2630	BMS/AWP/00 0092044-45	06/16/1998	Letter from B. Goetz to publications re: pricing information	
2631- 2749			INTENTIONALLY OMITTED	

Dated: Boston, Massachusetts
October 10, 2006

Respectfully submitted,

By: /s/ Jacob T. Ellberg (BBO No. 657469)
Thomas E. Dwyer, Jr. (BBO No. 139660)
Jacob T. Elberg (BBO No. 657469)
DWYER & COLLORA
600 Atlantic Avenue
Boston, Massachusetts
Tel: (617) 371-1000
Fax: (617) 371-1037
tdwyer@dwyercollora.com
jelberg@dwyercollora.com

Steven M. Edwards
Lyndon M. Tretter
Admitted pro hac vice
HOGAN & HARTSON LLP
875 Third Avenue
New York, New York 10022
(212) 918-3000

*Attorneys for Defendants Bristol-Myers Squibb Co., and
Oncology Therapeutic Network Corp.*

CERTIFICATE OF SERVICE BY LEXIS-NEXIS FILE & SERVE

I, Lyndon M. Tretter, hereby certify that I am one of Bristol-Myers Squibb Co. and Oncology Therapeutics Network Corp.'s attorneys and that, on October 10, 2006, I caused copies of **DEFENDANTS BRISTOL-MYERS SQUIBB CO. AND ONCOLOGY THERAPEUTICS NETWORK CORP.'S PRETRIAL DISCLOSURES** to be served on all counsel of record by electronic service pursuant to Paragraph 11 of CMO No. 2 by sending a copy to Lexis-Nexis File & Serve for posting and notification to all parties and a hard copy of Defendants' Trial Exhibits and highlighted Deposition Designations by overnight mail to the following:

Steve W. Berman, Esq.
Hagens Berman Sobol Shapiro LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101

Kenneth A. Wexler, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, IL 60601

Donald E. Haviland, Jr., Esq.
The Haviland Law Firm
740 S. Third Street, 3rd Floor
Philadelphia, PA 19147

John A. Macoretta, Esq.
Spector Roseman & Kodroff, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103

/s/ Lyndon M. Tretter
Lyndon M. Tretter